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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

BEAULIEU, YONEL

ART UNIT

PAPER NUMBER

3661

DATE MAILED: 12/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/801,553

Applicant(s)

ARAI, MASATOSHI

Examiner

Yonel Beaulieu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

Claim Rejections - 35 USC § 112

Claims 4, 6, and 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 4, it is not clearly understood as to what is construed as a “normal” personal computer “*mode*.”

Regarding claim 6, the phrase "such as" (line 5) renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim 7 is necessarily rejected as being dependent upon the rejection of claim 6 above.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 3, 5, and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Morgan et al. (US 6,411,874 B2).

Regarding claim 1, Morgan et al. teaches a movable personal computer using system in a motor vehicle (see fig. 1 at least) comprising: a PC holder (18) which is arranged (mounted) inside an instrument panel of the motor vehicle to hold a movable personal computer in said instrument panel (col. 4, lines 17 – 44) in a manner that said movable personal computer is attachable to and detachable from said PC holder (Morgan's computer is portable or hand-held; thus, attachable and detachable – col. 6, lines 20 – 34); a virtual image displaying means (19) that shows a virtual image of a screen on a display of said movable personal computer attached to said PC holder so that the virtual image can be seen from a passenger compartment of the motor vehicle, wherein said virtual image displaying means shows the virtual image reflecting a partial area of the screen that appears information different from another partial area of the screen appeared at the same time and is capable of moving to selectively shift the virtual image of the screen from the one partial area to the another partial area of the screen (as illustrated in fig. 4 and 7 specifically, there are shown many screens with respective capability of shifting from one to another; col. 9, lines 10 – 13; col. 11, lines 20 – 24 at least).

Regarding claim 2, Morgan further teaches shifting the virtual images according to a shift demand signal (by way of control command button 108; col. 10, lines 38 – 45 at least).

Regarding claim 3, Morgan further teaches said movable personal computer receives vehicle state information from the motor vehicle side to output alert information to a driver of the motor vehicle (col. 16, lines 46 – 60 at least).

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Regarding claim 5, Morgan further teaches a wireless communication facility (284) to communicate between said movable personal computer and outside of the motor vehicle (see fig. 16), and wherein said movable personal computer shows (displays) an incoming result received by said wireless communication facility when a vehicle speed becomes substantially zero Km/h (i.e., when the vehicle stops the speed is definitely zero; note also col. 14, lines 17 – 64 at least).

Regarding claim 8, Morgan further teaches said movable personal computer is connectable to a Controller Area Network (48) of the motor vehicle to communicate with an on-board device (col. 6, lines 35 – 38; col. 7, lines 9 – 34 at least).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 6, 7, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al. ('874 B2) as applied to claim 1.

As discussed above, Morgan teaches all of the limitations, including the computer being a notebook sized personal computer (note col. 6, lines 20 – 21) except for the rotation of the display with respect to the body of the personal computer to form either a V-shaped or L-shaped

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or U-shaped figure (claim 6) and the holder having a lift mechanism adjusting the holding position of the computer in a vertical direction (claim 9).

However, it would have been obvious to one of ordinary skill in the art at the time of the invention Morgan's teaching is at least fully functionally equivalent to the claimed invention because it has not been established the geometric shaped figure and the lift mechanism solving any stated problem in the art or being for any particular purpose; it clearly appears Morgan's teaching performs equally well.

As to claim 4, it would have been obvious to prevent "normal" (i.e., personal) use of the computer when the vehicle speed exceeds zero (i.e., when the vehicle is moving in a case of the police chasing a suspect) in order to provide for safety.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yonel Beaulieu whose telephone number is (571) 272-6955. The examiner can normally be reached on M-W 9-3; F 9-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas BLACK can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yonel Beaulieu
Primary Examiner
Art Unit 3661
YONEL BEAULIEU
PRIMARY EXAMINER